

# Daily Digest

## HIGHLIGHTS

House and Senate met in a Joint Meeting to receive His Excellency Felipe Calderón Hinojosa, President of Mexico.

Senate passed H.R. 4173, Wall Street Reform and Consumer Protection Act, as amended.

## Senate

### Chamber Action

*Routine Proceedings, pages S4027–S4106*

**Measures Introduced:** Eight bills and one resolution were introduced, as follows: S. 3388–3395, and S. Res. 536. **Page S4082**

#### Measures Passed:

**Wall Street Reform and Consumer Protection Act:** By 59 yeas to 39 nays (Vote No. 162), Senate passed H.R. 4173, to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end “too big to fail”, to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 3217, Senate companion measure, after taking action on the following amendments proposed thereto: **Pages S4027–34, S4034–78**

#### Adopted:

Reid (for Dodd/Lincoln) Amendment No. 3739, in the nature of a substitute. **Pages S4027, S4077**

Dodd Amendment No. 4172, to amend the title. **Page S4078**

#### Withdrawn:

Brownback Further Modified Amendment No. 3789 (to Amendment No. 3739), to provide for an exclusion from the authority of the Bureau of Consumer Financial Protection for certain automobile manufacturers. **Pages S4027, S4077**

Specter Modified Amendment No. 3776 (to Amendment No. 3739), to amend section 20 of the Securities Exchange Act of 1934 to allow for a private civil action against a person that provides substantial assistance in violation of such Act. **Pages S4027, S4077**

Dodd (for Leahy) Amendment No. 3823 (to Amendment No. 3739), to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers. **Pages S4027, S4077**

Dodd (for Cantwell) Modified Amendment No. 3884 (to Amendment No. 3739), to impose appropriate limitations on affiliations with certain member banks. **Pages S4027, S4077**

Cardin Amendment No. 4050 (to Amendment No. 3739), to require the disclosure of payments by resource extraction issuers. **Pages S4027, S4077**

Merkley/Levin Amendment No. 4115 (to Amendment No. 3789), to prohibit certain forms of proprietary trading. **Pages S4027, S4077**

During consideration of this measure today, Senate also took the following action:

Dodd (for Vitter/Pryor) Modified Amendment No. 4003 (to Amendment No. 3739), to address nonbank financial company definitions and to provide for anti-evasion authority, previously agreed to on Wednesday, May 19, 2010, was further modified by unanimous consent. **Pages S4031–32**

Pursuant to the order of May 19, 2010, the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on May 19, 2010, was agreed to. **Page S4042**

Pursuant to the order of May 19, 2010, the motion to reconsider the vote by which cloture was not invoked on May 19, 2010, was agreed to. **Page S4042**

By 60 yeas to 40 nays (Vote No. 160), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate upon reconsideration agreed to the motion to close further debate on Reid (for Dodd/Lincoln) Amendment No. 3739 (listed above). **Page S4043**

By 60 yeas to 39 nays (Vote No. 161), three-fifths of those Senators duly chosen and sworn, having

voted in the affirmative, Senate agreed to the motion to waive, pursuant to section 904 of the Congressional Budget Act of 1974, to waive applicable sections of the Act for consideration of Reid (for Dodd/Lincoln) Amendment No. 3739, in the nature of a substitute. Subsequently, the point of order that the amendment would provide spending in excess of the committee's 302(a) allocation, was not sustained.

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Subsequently, the motion to invoke cloture on the bill was withdrawn.

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Senate insisted on its amendments, and asks a conference with the House on the disagreeing votes of the two Houses.

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**Extending Immunities to the Office of the High Representative and the International Civilian Office in Kosovo Act:** Senate passed H.R. 5139, to provide for the International Organizations Immunities Act to be extended to the Office of the High Representative in Bosnia and Herzegovina and the International Civilian Office in Kosovo, clearing the measure for the President.

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**Declaration of Conscience Day:** Senate agreed to S. Res. 536, designating June 1, 2010, as "Declaration of Conscience Day" in commemoration of the 60th anniversary of the landmark "Declaration of Conscience" speech delivered by Senator Margaret Chase Smith on the floor of the United States Senate.

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#### Appointments:

**Congressional Oversight Panel:** The Chair, on behalf of the Republican Leader, pursuant to provisions of Public Law 110–343, appointed the following individual as a member of the Congressional Oversight Panel: Mr. Kenneth R. Troske of Kentucky, vice Mr. Paul Atkins of Virginia.

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**Escort Committee—Agreement:** A unanimous-consent agreement was reached providing that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency Felipe Calderón Hinojosa, President of Mexico, into the House Chamber for the joint meeting on Thursday, May 20, 2010.

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**Wall Street Reform and Consumer Protection Act—Agreement:** A unanimous-consent-time agreement was reached providing that at 4:45 p.m., on Monday, May 24, 2010, it be in order for Senator Brownback to be recognized for a period not to exceed 10 minutes and Senator Dodd for the same period; prior to Senator Brownback offering a motion to instruct the conferees with respect to H.R. 4173 on the subject of auto dealers; that after the motion

is made, Senate then vote on the motion to instruct; that upon disposition of the motion to instruct, Senator Hutchison, or her designee be recognized for a period of up to 10 minutes to make a motion to instruct with respect to proprietary trading, and Senator Dodd also be recognized for the same period of time; that upon the use or yielding back of time, Senate then vote on the Hutchison motion to instruct; that upon the disposition of the above referenced motions to instruct, no further motions be in order; and that the Chair be authorized to appoint conferees on the part of the Senate with a ration of 7–5; that the Senate bill then be returned to the Calendar; provided further, that no amendments or motions be in order to the motions to instruct.

Pages S4076–77 S4104

**Roy Rondono, Sr. Post Office Building—Reporting Agreement:** A unanimous-consent agreement was reached providing that action with respect to the reporting of H.R. 3951, be vitiated.

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**Supplemental Appropriations Act—Agreement:** A unanimous-consent agreement was reached providing that at approximately 3 p.m., on Monday, May 24, 2010, Senate begin consideration of H.R. 4899, making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010.

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**Nominations Received:** Senate received the following nominations:

Susan L. Carney, of Connecticut, to be United States Circuit Judge for the Second Circuit.

Anthony J. Battaglia, of California, to be United States District Judge for the Southern District of California.

Edward J. Davila, of California, to be United States District Judge for the Northern District of California.

Robert Leon Wilkins, of the District of Columbia, to be United States District Judge for the District of Columbia.

David J. Hickton, of Pennsylvania, to be United States Attorney for the Western District of Pennsylvania for the term of four years.

William C. Killian, of Tennessee, to be United States Attorney for the Eastern District of Tennessee for the term of four years.

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**Messages from the House:**

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**Measures Referred:**

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**Executive Communications:**

Pages S4081–82

**Additional Cosponsors:**

Pages S4082–84

**Statements on Introduced Bills/Resolutions:**

Pages S4084–92

**Additional Statements:**

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**Amendments Submitted:** Pages S4092–S4103  
**Notices of Hearings/Meetings:** Pages S4103–04  
**Authorities for Committees to Meet:** Pages S4103–04

**Privileges of the Floor:** Page S4104

**Record Votes:** Three record votes were taken today. (Total—162) Pages S4043, S4077, S4078

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 9:12 p.m., until 2 p.m. on Monday, May 24, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4106.)

## Committee Meetings

(Committees not listed did not meet)

### HOMELESS VETERANS

*Committee on Appropriations:* Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, with the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies concluded a joint hearing to examine the progress in ending veterans' homelessness, after receiving testimony from Shaun Donovan, Secretary of Housing and Urban Development; Eric K. Shinseki, Secretary of Veterans Affairs; Barbara Poppe, Executive Director, Interagency on Homelessness; Stephen Norman, King County Housing Authority, Seattle, Washington; and Mike Brown, Valley Residential Services, Walla Walla, Washington.

### APPROPRIATIONS: FEDERAL TRADE COMMISSION

*Committee on Appropriations:* Subcommittee on Financial Services and General Government concluded a hearing to examine the President's proposed budget request for fiscal year 2011 for the Federal Trade Commission, after receiving testimony from Jon Leibowitz, Chairman, Federal Trade Commission.

### MINE SAFETY

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine investing in mine safety, focusing on preventing another disaster, after receiving testimony from Joseph A. Main, Assistant Secretary for Mine Safety and Health, and M. Patricia Smith, Solicitor of Labor, both of the Department of Labor; John Howard, Director, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, Department of Health and Human Services; Mary Lu Jordan, Federal Mine Safety and Health Review Commission; Don L. Blankenship, Massey Energy, Rich-

mond Virginia; and Cecil E. Roberts, United Mine Workers of America, Fairfax, Virginia.

### MAY 6TH MARKET PLUNGE

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Securities, Insurance and Investment concluded a hearing to examine the causes and lessons of the May 6th market plunge, after receiving testimony from Mary L. Schapiro, Chairman, Securities and Exchange Commission; Gary Gensler, Chairman, Commodity Futures Trading Commission; Richard G. Ketchum, Financial Industry Regulatory Authority, Washington, D.C.; Larry Leibowitz, NYSE Euronext, and Eric Noll, NASDAQ OMX Group, Inc., both of New York, New York; and Terrence A. Duffy, CME Group Inc., Chicago, Illinois.

### NOMINATION

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine the nomination of Carl Wieman, of Colorado, to be an Associate Director of the Office of Science and Technology Policy, after the nominee, who was introduced by Senator Udall (CO), testified and answered questions in his own behalf.

### CALIFORNIA DESERT PROTECTION ACT

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine S. 2921, to provide for the conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, to require the Secretary of the Interior to designate certain offices to serve as Renewable Energy Coordination Offices for coordination of Federal permits for renewable energy projects and transmission lines to integrate renewable energy development, after receiving testimony from Senator Feinstein; Robert V. Abbey, Director, Bureau of Land Management, Department of the Interior; Dorothy Robyn, Deputy Under Secretary of Defense for Installations and Environment; Faye Krueger, Acting Associate Deputy Chief, National Forest System, Department of Agriculture; David Myers, The Wildlands Conservancy, Oak Glen, California; Pedro Pizarro, Southern California Edison, Rosemead; David P. Hubbard, Gatzke, Dillon & Balance LLP, Escondido, California; Harry Baker, California Association of 4 Wheel Drive Clubs, Encino; V. John White, Center for Energy Efficiency & Renewable Technologies, Sacramento, California; and Johanna Wald, Natural Resources Defense Council (NRDC), San Francisco, California.